

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTOPHER ALLEN FRANKLIN #213221,

Petitioner,

Case No. 1:13cv387

v.

Hon. Robert J. Jonker

JOHN PRELESNIK,

Respondent.

ORDER

APPROVING AND ADOPTING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on June 4, 2013. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed June 4, 2013, is **APPROVED AND ADOPTED** as the opinion of the court.

IT IS ORDERED that the habeas corpus petition is **DENIED** because it is barred by the one-year statute of limitations.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**. *See Slack v. McDaniel*, 529 U.S. 473 (2000).

/s/Robert J. Jonker

ROBERT J. JONKER

UNITED STATES DISTRICT JUDGE

Dated: August 1, 2013